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NO. 9718 P. 1

JAN 19 2006

10/535577

## FAX TRANSMISSION

DATE: January 19, 2006

PTO IDENTIFIER: Application Number 10/535577  
Patent Number

Inventor: Detlef Busch et al.

MESSAGE TO: **MS PCT** - US Patent and Trademark Office

FAX NUMBER: (571) 273-8300

FROM: **CONNOLLY BOVE LODGE & HUTZ LLP**

Ashley I. Pezzner

PHONE: (302) 658-9141

Attorney Dkt. #: 05581-00136-US

PAGES (Including Cover Sheet): 10

CONTENTS: Fee Transmittal (1 page)  
Response to Notification of Missing Requirements (1 page)  
Notification of Missing Requirements (2 pages)  
Combined Declaration and Power of Attorney (4 pages)  
Charge \$130.00 to deposit account 03-2775  
Certificate of Transmission (1 page)

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Telephone: (302) 658-9141 Facsimile: (302) 658-5614

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PTO/SB/97 (09-04)

Approved for use through 07/31/2006. OMB 0851-0031

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Application No. (if known): 10/535577

Attorney Docket No.: 05581-00136-US

**Certificate of Transmission under 37 CFR 1.8****MS PCT**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on January 19, 2006  
Date

  
SignatureJ. Lynn Ferry

Typed or printed name of person signing Certificate

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Fcc Transmittal (1 page)  
Response to Notification of Missing Requirements (1 page)  
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Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).		Complete if Known	
<b>FEE TRANSMITTAL</b>		Application Number	10/535577
<b>For FY 2005</b>		Filing Date	May 19, 2005
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.23		First Named Inventor	Detlef Busch
		Examiner Name	Not Yet Assigned
		Art Unit	N/A
<b>TOTAL AMOUNT OF PAYMENT</b> (\$) <u>130.00</u>		Attorney Docket No.	05581-00136-US

METHOD OF PAYMENT (check all that apply)	
<input type="checkbox"/> Check	<input type="checkbox"/> Credit Card
<input type="checkbox"/> Money Order	<input type="checkbox"/> None
<input type="checkbox"/> Other (please identify): _____	
<input checked="" type="checkbox"/> Deposit Account	Deposit Account Number: <u>03-2775</u> Deposit Account Name: <u>Connolly Bove Lodge &amp; Hutz LLP</u>
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
<input checked="" type="checkbox"/> Charge fee(s) indicated below	<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17	<input checked="" type="checkbox"/> Credit any overpayments

FEE CALCULATION							
1. BASIC FILING, SEARCH, AND EXAMINATION FEES							
Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	
<b>2. EXCESS CLAIM FEES</b>							
Fee Description							Small Entity Fee (\$)
Each claim over 20 (including Reissues)							25
Each independent claim over 3 (including Reissues)							100
Multiple dependent claims							180
Total Claims		Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims		
- 20 =		x	=		Fee (\$)		Fee Paid (\$)
Indep. Claims		Extra Claims	Fee (\$)	Fee Paid (\$)			
- 3 =		x	=				
<b>3. APPLICATION SIZE FEE</b>							
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(e).							
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof		Fee (\$)	Fee Paid (\$)		
- 100 =	/50	(round up to a whole number) x					
<b>4. OTHER FEE(S)</b>							
Non-English Specification, \$130 fee (no small entity discount)							
Other (e.g., late filing surcharge): 1051 Surcharge-Late oath or declaration <u>130.00</u>							

SUBMITTED BY			
Signature	<u>Ashley I. Pezzner</u>	Registration No. (Attorney/Agent)	35,646
Name (Print/Type)	Ashley I. Pezzner	Telephone	(302) 858-9141
		Date	January 19, 2006

10/19/2006 10:00:00 AM 03-2775 10535577  
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NO. 9718 P. 4

Application No.: 10/535577

Docket No.: 05581-00136-US

JAN 19 2006

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Detlef Busch et al.

Conf. No.: 7244

Application No.: 10/535577

Group Art Unit: N/A

Filed: May 19, 2005

Examiner: Not Yet Assigned

For: TRANSPARENT BIAXIALY ORIENTED  
POLYOLEFIN FILM HAVING AN  
IMPROVED OXYGEN BARRIER

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450


Dear Sir:

In response to the Notification of Missing Requirements mailed January 5, 2006 (enclosed herewith), Applicant respectfully submits the executed Combined Declaration and Power of Attorney.

Please charge our Deposit Account No. 03-2775 in the amount of \$130.00 covering the fee set forth in 37 CFR 1.16(f). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 03-2775, under Order No. 05581-00136-US.

Dated: January 19, 2006

Respectfully submitted,

By   
Ashley I. Pezzner

Registration No.: 35,646  
CONNOLLY BOVE LODGE & HUTZ LLP

Correspondence Customer Number: 23416  
Attorney for Applicant

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/535,577	Detlef Busch	05581-00136-US

INTERNATIONAL APPLICATION NO.
PCT/EP03/12974

I.A. FILING DATE	PRIORITY DATE
11/20/2003	11/23/2002

23416  
CONNOLLY BOVE LODGE & HUTZ, LLP  
P O BOX 2207  
WILMINGTON, DE 19899

CONFIRMATION NO. 7244

371 FORMALITIES LETTER



Date Mailed: 01/05/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/19/2005
- English Translation of the IA filed on 05/19/2005
- Copy of the International Search Report filed on 05/19/2005
- Copy of IPE Report filed on 05/19/2005
- Preliminary Amendments filed on 05/19/2005
- Information Disclosure Statements filed on 05/19/2005
- Oath or Declaration filed on 05/19/2005
- Request for Immediate Examination filed on 05/19/2005
- U.S. Basic National Fees filed on 05/19/2005
- Priority Documents filed on 05/19/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
  - does not identify the citizenship of each inventor.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

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**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/535,577	PCT/EP03/12974	05581-00136-US

FORM PCT/DO/EO/905 (371 Formalities Notice)